

ADDITIONAL FEE:

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R E M A R K S

The Office Action issued March 2, 2006 has been received and its contents have been carefully considered.

The specification has been amended on page 3, third paragraph, to restore the word "tightening strap". This is the correct translation of the German word "Spannband" which appears in the original International Patent Application No. PCT/EP2003/006549 from which priority is claimed.

Claim 1 has been amended to clarify the expression "can be expanded by hand only with great difficulty." This expression has been amended to read "is sufficiently non-stretchable that, when it is in place on the coaming, external forces acting thereon are unable to cause it to expand so much as to allow it to be removed from the coaming." This language tracks the language of the specification on page 4, first full paragraph which describes the "stretchability" of the tension element. The Examiner is correct in noting that any and all elements are stretchable to some degree and it is conceded that the term

"expanded by hand only with great difficulty" is vague and "highly relative in nature". However, it is believed that the language of claim 1 is now clear and definite with respect to the stretchability of the tension element and, as will be pointed out below, distinguishes this tension element over that of both Galea and McIntire.

Claims 9-11 have been retained notwithstanding the Examiner's rejection under 35 USC §112. Claims 10 and 11 have been amended slightly to correct errors made in the previous Amendment and to otherwise improve their style. These claims are directed to the safety release operated by a person sitting in the boat. As is clearly shown in Fig. 2, the release bands 61 and 62 are positioned above or outside the spray cover, allowing their direct connection to the tightening fitting by means of the pull strap 63. The pull strap 63 merely pulls open the same lever of the tightening fitting that would be grasped directly by a person, when opening the fitting.

Claims 1, 6, 14 and 19 stand rejected under 35 USC §102(b) as being anticipated by Galea. Claim 7 has been rejected under 35 USC §103(a) as being unpatentable over Galea in view of McIntire. These rejections are respectively traversed for the reasons given below.

As explained in applicant's Amendment filed December 19, 2005, Galea discloses the use of what may be termed a "bungee cord" 34, with a knot 35, as a tension element. This cord may be easily removed from the coaming by hand, or by merely pulling upward on the spray cover.

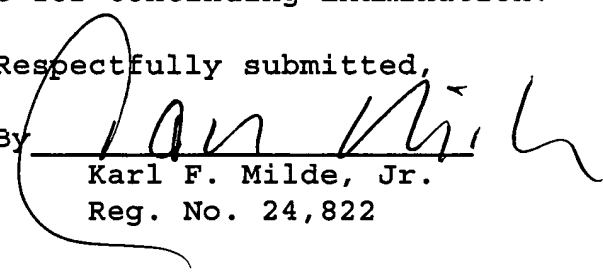
This is exactly what a person is not able to do with applicant's "tension element". Applicant's tension element cannot be expanded by hand to the point where it is removable from the coaming. This can be accomplished only by releasing the tightening fitting.

Similarly, McIntire discloses a rubber or rubber composite cord or strap which clearly fails to meet the "non-stretchable" terms of applicant's claim 1.

In view of the shortness of time, applicant submits this Amendment together with a Petition for a three-month extension of time and a Request for Continuing Examination.

Respectfully submitted,

By


Karl F. Milde, Jr.
Reg. No. 24,822

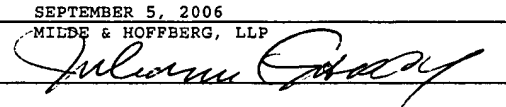
MILDE & HOFFBERG, LLP
10 Bank Street - Ste. 460
White Plains, NY 10606
914-949-3100

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SEPTEMBER 5, 2006

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By


Date SEPTEMBER 5, 2006